

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

V.

ELAGOON BUSINESS SOLUTIONS PVT LTD., d/b/a Computer Phone Assist,

Defendant.

No. 2:19-cv-00324-RSL

ORDER AUTHORIZING SERVICE OF
THE SUMMONS AND COMPLAINT
BY NEWSPAPER PUBLICATION

This matter comes before the Court upon United States' Response to Order to Show Cause and Motion for an Order Authorizing Service of the Summons and Complaint by Newspaper Publication (the "Motion"). Upon consideration of the Motion, the Second Certification and Declaration of Daniel K. Crane-Hirsch in support thereof, and the entire record in this case, the Court finds that:

The United States has taken adequate steps to attempt service pursuant to the Hague Service Convention under Federal Rule of Civil Procedure 4(f)(1).

ORDER AUTHORIZING SERVICE OF THE
SUMMONS AND COMPLAINT BY NEWSPAPER
PUBLICATION - 1
CASE NO. 2:19-cv-00324-RSL

UNITED STATES DEPARTMENT OF JUSTICE
Consumer Protection Branch
PO Box 386, Washington, DC 20044
(206) 616-0295

1 The United States has waited a sufficiently long amount of time as to have a reasonable
2 belief that service of process through the Indian Central Authority, pursuant to Articles 2-5 of
3 the Hague Service Convention, will not be effected in a timely manner.

4 The United States has fully complied with the requirements for service as specified by
5 India pursuant to the Hague Service Convention and the United States has complied with the
6 requirements of Article 15(2) such that, subject to relevant due process considerations under the
7 United States Constitution, a United States judge could enter default judgment against
8 Defendant Elagoon.

9 The United States has taken reasonable steps to confirm that Defendant Elagoon is
10 located in Kolkata, India, and to verify that Defendant conducts business in the English
11 language.

12 Pursuant to Rule 4(f)(3) of the Federal Rules of Civil Procedure, the United States has
13 taken reasonable steps to identify alternative means of service via the two prominent English-
14 language newspaper publications in Kolkata, India.

15 **THEREFORE, IT IS HEREBY ORDERED** that, pursuant to Rule 4(f)(3) of the
16 Federal Rules of Civil Procedure, the United States' Motion for an Order Authorizing Service
17 of the Summons and Complaint by Newspaper Publication is **GRANTED**.

18 **IT IS HEREBY FURTHER ORDERED** that the United States shall effect service of
19 process of the Complaint (Dkt. 1) and Summons (Dkt.1-2) in this matter via publication of a printed
20 advertisement of the aforementioned documents in *The Telegraph* and *The Statesman*, no less than
21 once a week for at least four continuous weeks.

22 **IT IS FURTHER ORDERED** that, upon a showing by the United States of the
23 aforementioned publications in *The Telegraph* and *The Statesman* for four continuous weeks,

ORDER AUTHORIZING SERVICE OF THE
SUMMONS AND COMPLAINT BY NEWSPAPER
PUBLICATION - 2
CASE NO. 2:19-cv-00324-RSL

UNITED STATES DEPARTMENT OF JUSTICE
Consumer Protection Branch
PO Box 386, Washington, DC 20044
(206) 616-0295

Defendant will be considered to have been effected of constructive process of the Complaint and Summons in this matter.

DONE AND ORDERED in Chambers at Seattle this 23rd day of March, 2020.

MRS Lasnik
HONORABLE ROBERT S. LASNIK
United States District Judge

Presented by:

GUSTAV W. EYLER
Director
Consumer Protection Branch

/s/ Daniel K. Crane-Hirsch
DANIEL K. CRANE-HIRSCH
Consumer Protection Branch
United States Department of Justice
P.O. Box 386
Washington, DC 20044
Tel.: 202-616-8242
Fax: 202-514-8742
Email: daniel.crane-hirsch@usdoj.gov

BRIAN T. MORAN
United States Attorney

/s/ Kayla C. Stahman
KAYLA C. STAHPMAN, CA #228931
Assistant United States Attorney
United States Attorney's Office
700 Stewart Street, Suite 5220
Seattle, Washington 98101-1271
Phone: 206-553-7970
Fax: 206-553-4067
Email: kayla.stahman@usdoj.gov

Counsel for United States of America

ORDER AUTHORIZING SERVICE OF THE
SUMMONS AND COMPLAINT BY NEWSPAPER
PUBLICATION - 3
CASE NO. 2:19-cv-00324-RSL

UNITED STATES DEPARTMENT OF JUSTICE
Consumer Protection Branch
PO Box 386, Washington, DC 20044
(206) 616-0295